

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. 06-481M
v.)
ROBERT M. HAYWARD,) DETENTION ORDER
Defendant.)

Offenses charged:

Conspiracy to Distribute Methamphetamine in violation of Title, 21, U.S.C., Section 841(a), 841(b)(1)(A) and 846; Using and Carrying a Firearm During a Drug Offense, in violation of Title 18, U.S.C., Section 924(c).

Date of Detention Hearing: September 15, 2006

21 The Court, having conducted an uncontested detention hearing pursuant to Title
22 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
23 detention hereafter set forth, finds that no condition or combination of conditions which the
24 defendant can meet will reasonably assure the appearance of the defendant as required and
25 the safety of any other person and the community. The Government was represented by
26 Patricia Lally. The defendant was represented by Tim McGarry.

**DETENTION ORDER
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1 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 2 (1) There is probable cause to believe the defendant committed the drug
3 offense. The maximum penalty is in excess of ten years. There is
4 therefore a rebuttable presumption against the defendant's release based
5 upon both dangerousness and flight risk, under Title 18 U.S.C. §
6 3142(e).
- 7 (2) Defendant is viewed as a risk of danger due to the instant offense
8 involving a firearm.
- 9 (3) Defendant is viewed a risk of nonappearance as he is a citizen of the
10 United Kingdom; his familial ties are primarily overseas and there is a
11 lack of suitable residence if released.
- 12 (4) The defendant stipulates to detention at this time, reserving the right to
13 re-argue at a later date.
- 14 (5) Based upon the foregoing information, which is consistent with the
15 recommendation of U.S. Pre-trial Services, it appears that there is no
16 condition or combination of conditions that would reasonably assure
17 future Court appearances and/or the safety of other persons or the
18 community.

19 **It is therefore ORDERED:**

- 20 (1) The defendant shall be detained pending trial and committed to the
21 custody of the Attorney General for confinement in a correction facility
22 separate, to the extent practicable, from persons awaiting or serving
23 sentences or being held in custody pending appeal;
- 24 (2) The defendant shall be afforded reasonable opportunity for private
25 consultation with counsel;
- 26 (3) On order of a court of the United States or on request of an attorney for

1 the Government, the person in charge of the corrections facility in which
2 the defendant is confined shall deliver the defendant to a United States
3 Marshal for the purpose of an appearance in connection with a court
4 proceeding; and

- 5 (4) The clerk shall direct copies of this order to counsel for the United
6 States, to counsel for the defendant, to the United States Marshal, and to
7 the United States Pretrial Services Officer.

8 DATED this 18th day of September, 2006.

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12 MONICA J. BENTON
13 United States Magistrate Judge